

April 22, 2005

Ms. Susan Postwistillo, Esq.  
Assistant United States Attorney  
Office of the United States Attorney  
United States District Courthouse  
One Courthouse Way  
Suite 9200  
Boston, MA 02210

**RE: CARMEN FIGUEROA  
EX PARTE WITNESS**

Dear Ms. Postwistillo:

Pursuant to our recent conversations with you and in compliance with expert discovery it is my intention to call a psychiatrist, Dr. Deborah Pinals as a witness in my case in chief. Due to time constraints, Dr. Pinals will not be able to interview and evaluate Carmen Figueroa before trial unless a continuance or severance is granted.

I expect that Dr. Pinals will testify concerning what is commonly referred to as "battered woman syndrome" or "battered spouse syndrome" which is a symptomology or group of characteristics common to women (or men) who have been physically and mentally abused over time. She will testify concerning the relationship between post-traumatic stress disorder and battered woman syndrome, characteristics common to the batterer, characteristics of the battered women and the abusive relationship. In addition, she will testify to the psychological reasons why the abused do not sever their ties with their abusers, why abusers even in the abusers are so overwhelming.

As I explained to you I only recently learned of Ms. Figueroa victimization at the hands of Mr. Mendes and have been racing to acquire the evidence necessary to present a defense of lack of criminal intent / coercion / duress.

Please note that I am not interposing a defense of lack of criminal responsibility by means of mental disease or defect.

I am enclosing herewith Dr. Pinals curriculum vitae. Because she is unable to do a full evaluation of Ms. Figueroa there is no report to disclose.

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If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

John H. LaChance, Esq.

:JHL/jp  
:encl.  
cc: All Counsel